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SC regrets apathy towards domestic violence victims

Husband’s conviction upheld as no evidence of natural death found

By Nasir Iqbal

ISLAMABAD: The Supreme Court, in a poignant observation, has called out society for its apathy towards victims of domestic violence, noting that despite sustained maltreatment by their husbands and in-laws, women are still forced to return to the same abusive environments.

“With a heavy heart we state that in similar cases, where daughters are subjected to sustained maltreatment by their husbands or in-laws, it is the sad state of our society, though with a few exceptions, that families still compel them to return to the same abusive environment,” observed Justice Ishtiaq Ibrahim in a six-page judgement regarding domestic violence in an abusive marriage case.

Headed by Justice Muhammad Hashim Kakar, a three-judge SC bench had taken up a jail petition of Khursheed Ahmad against the Feb 1, 2022 rejection of his plea by the Lahore High Court, Rawalpindi bench.

The SC, however, upheld the conviction of the petitioner for the murder of his wife, Gulshan Bibi.

In the verdict, Justice Ibrahim expressed deep regret that women subjected to such treatment were undeniable victims of domestic violence and deserved protection, compassion and effective legal recourse. But societal pressures and entrenched cultural norms often compelled families to send their daughters back into circumstances that amounted to nothing less than a ‘living hell’, he observed.

Khursheed Ahmad was initially convicted by an additional sessions judge, Fatehjang (Attock), under Section 302(b) of the Pakistan Penal Code (PPC) on Feb 12, 2021. He was sentenced to life imprisonment for his wife’s murder and directed to pay compensation of Rs200,000 under Section 544-A of the Code of Criminal Procedure (CrPC) to the legal heirs of the deceased.

The petitioner then challenged his conviction before the LHC, Rawalpindi bench, which dismissed his criminal appeal though it also set aside the conviction and sentence under Section 302(b) of the PPC. Instead, he was convicted under Section 316 of PPC for committing Qatl Shibhi-Amd and was sentenced to 10 years’ imprisonment. He was also ordered to pay Diyat amounting to Rs2,055,936 to the legal heirs of the deceased.

Through the present jail petition before the SC, the convict sought leave to appeal against the LHC decision. The apex court carefully examined the record and the evidence produced during the trial.

The SC noted that the convict, according to one of the prosecution witnesses, was unemployed, addicted to narcotics and frequently quarreled with his wife. In 2018, following repeated physical abuse, Gulshan Bibi left the petitioner’s house and began living with her parents. Upon the intervention of family elders, the parties reconciled and resumed cohabitation on the eve of Eid.

The witness deposed that he received a call from a woman residing in the vicinity of his sister’s house, informing him that the convict had murdered Gulshan Bibi, on July 21, 2019.

The complainant, along with his brothers Rasheed, Naseem Gul and Muhammad Akhlaq Ahmad, immediately rushed to their sister’s residence, where they found her lying dead.

Another prosecution witness, Muhammad Ali, testified that the minor son of the deceased and the appellant had informed them that during the previous night, his father, Khursheed Ahmad, had assaulted his mother with a wooden plank. He also alleged that one Raees Pathan had slapped her, as a result of which she lost consciousness and subsequently died.



CHIPURSON VALLEY (Gilgit-Baltistan): Vehicles are buried under the rubble of a structure that collapsed during the 5.8-magnitude earthquake that struck the region on Monday.—Photo by the writer

One killed as 5.8-magnitude quake hits parts of GB

• Several homes and cattle sheds damaged or collapsed • Landslides block Karakoram Highway and several link roads

By Jamil Nagri

GILGIT: A 5.8-magnitude earthquake jolted Gilgit-Baltistan on Monday, killing one person, injuring four others and damaging dozens of homes, cattle sheds, and public and private properties.

The quake also triggered landslides that blocked the Karakoram Highway (KKH) and several other roads.

According to the Pakistan Meteorological Department (PMD), the earthquake struck at 11:21am at a depth of 10 kilometres, with its epicentre located in northwestern Kashmir.

Meanwhile, the European Mediterranean Seismological Centre (EMSC), which reports magnitude using the Moment Magnitude Scale, recorded the quake at a magnitude of 5.7 at a depth of 31 kilometres. The EMSC said the earthquake was recorded about 58 kilometres northwest of Barishal in Pakistan.

Officials said that when the earthquake struck, heavy landslides occurred in mountainous areas, with clouds of dust seen rising from the slopes.

Gilgit-Baltistan caretaker Information Minister Ghulam Abbas told *Dawn* that a landslide hit a motorcycle carrying two riders near Barswat Lake in the Ishkoman Valley of Ghizer district.

The riders were travelling from Imit village to Ishkoman when a falling rock struck them.

He said that Khush Baig, aged 60, a resident of Bilhanz, died on the spot, while Afzal Khan, aged 35, a resident of Barswat, was injured.

After receiving first aid at the Imit Dispensary, the injured man was shifted to the District Headquarters (DHQ) Hospital in Gahkuch, where his condition is reported to be stable and out of danger.

The minister said the earthquake severely affected the Chipurson Valley of Upper Gojal in Hunza district. According to initial reports, the access road to the valley was blocked at multiple locations, while several kacha houses and cattle sheds were damaged or collapsed.

Rescue 1122 said that two children and a woman injured in the earthquake in Chipurson village were safely shifted from Chipurson to the Rural Health Centre (RHC) Hospital in Sost after receiving initial medical aid.

Mr Abbas said the Karakoram

Highway was also blocked at multiple locations from Nagar to Khunjerab Top due to landslides. He added that machinery from the Gilgit-Baltistan Communication and Works Department was mobilised to clear the roads, and the KKH and several link roads have since been reopened for traffic.

According to Rescue 1122, the most affected area was the Chipurson Valley in Gojal, Upper Hunza, located near the Pakistan-China border close to the Khunjerab Pass.

Hunza Deputy Commissioner Nizamuddin told *Dawn* that Chipurson was the worst-hit area. He said the earthquake’s epicentre was likely located in the surrounding vicinity.

He added that road access to the valley was blocked and, according to initial assessments, several homes, cattle sheds, and public and private properties were damaged. Large cracks developed in parts of the valley, while roads and water channels supplying power houses were also damaged.

The deputy commissioner said damage assessment was under way and would be completed once road access was fully restored. He added that the Chipurson Valley has been experiencing underground tremors for several months.

CTD kills five ‘terrorists’ in Mastung operation

By Saleem Shahid

QUETTA: The Counter Terrorism Department (CTD) of Balochistan has foiled an alleged terror plan of a banned organisation, killing five suspected terrorists during an operation in the Dasht area of Mastung district on Monday.

“A major intelligence-based operation was conducted by CTD Quetta in Dasht after receiving information about the presence of armed men,” a spokesman for the CTD said.

He added that five suspected terrorists belonging to the proscribed Balochistan Liberation Army (BLA) were planning to block the Quetta-Sibi Highway and carry out subversive activities.

“The CTD received credible intelligence that a group of armed BLA terrorists had taken positions near the Dasht area of Mastung with the intention of staging a road blockade on the Quetta-Sibi Highway and targeting security forces and civilian traffic,” he continued.

Acting swiftly on the information, CTD Quetta teams moved into the area and established surveillance. Upon spotting CTD personnel, the militants opened indiscriminate fire, leading to a fierce exchange of fire.

During the heavy exchange, five unidentified suspected terrorists were shot dead, while their accomplices managed to flee, taking advantage of the rugged and mountainous terrain favourable for militant movement.

The spokesman said arms and ammunition, including five sub-machine guns with live rounds, seven hand grenades and three motorcycles, were recovered from their possession.

“Search and combing operations are underway to apprehend the fleeing terrorists and dismantle the remaining network,” the spokesman said, adding that the bodies were being shifted to SPHQ Hospital Quetta, while an FIR was being registered at the CTD police station in Quetta.

Pakistan Railways to digitise network by June

• Project includes introducing GPS tracking for trains and locomotives • Senate panel on railways elects new chairman

By Aamir Yasin and Bakhtawar Mian

RAWALPINDI / ISLAMABAD: Pakistan Railways has launched a major initiative to digitise its network, which is scheduled to be completed by June this year.

The Directorate of IT delivered a detailed presentation during a meeting chaired by Railways Minister Hanif Abbasi on Monday, highlighting the progress and implementation plans of the ‘Railway Advanced Infrastructure Network (RAIN) Project Phase I’.

The minister was assured that RAIN Phase I — to be executed by Pakistan Railways itself and the largest digitisation initiative in its history — would be completed by June 2026.

According to the Directorate of IT, Phase I of the project will be fully executed using Pakistan Railways’ own revenue, reflecting the organisation’s financial self-reliance and operational sustainability.

The key components of Phase I include the introduction of GPS tracking for all trains and locomotives, and the establishment of safe and smart railway stations in major cities, modelled after the “successful Rawalpindi station”.

The project will also help provide high-speed internet at selected railway stations. It encompasses the setting up of command and control centres at the Lahore headquarters and all divisional offices. It further includes the “fiberisation” of 1,700 kilometres of the ML-1 railway network and enabling real-time monitoring as well as data-driven decision-making.

Mr Abbasi emphasised that the RAIN Project would significantly reduce train delays and accidents, enhance passenger services, and improve overall operational efficiency.

The new command and control systems will ensure rapid and effective responses in emergency situations.

The minister reiterated that the RAIN Project represented a major step towards modernising Pakistan Railways, making it a safe, efficient and passenger-centric organisation.

Senate panel

Meanwhile, the Senate Standing Committee on Railways on Monday elected Senator Shahadat Awan as its new chairman.

The election took place during a meeting of the committee held at the Parliament House.

The meeting was attended by Senator Shahadat Awan, Senator Ashraf Ali Jatoi, Senator Dost Ali Jeesar, Senator Rubina Khalid and Senator Nasir Mahmood. During the meeting, Senator Jeesar proposed the name of Senator Awan for the position, which was seconded by Senator Jatoi.

The committee later unanimously elected him as its chairman.

Constitution, which mandates that each province establish a local government system by law, devolving political, administrative and financial authority to elected representatives.

Chapter XIII of the Elections Act, 2017, deals with conduct of local government elections and states that the Election Commission, under Article 140-A (2) read with Article 219(d) of the Constitution, is under an obligation to conduct LG polls.

“Local government is an important tier and the bedrock of democracy, providing basic facilities to the public at the grassroots level. It is observed that governments have generally shown little readiness to conduct local government elections, and the Election Commission faces difficulties in holding them in a timely manner as mandated by the Constitution and law,” the letter says.

Issued with the signatures of Additional Director General (Local Government Elections) Chaudhry Nadeem Qasim, the letter states that, in order to fulfil its constitutional obligation, the commission has consistently strived to hold timely LG elections. However, federal and provincial governments often repeal or amend the local government laws even after the expiry of the term of the local government, causing inordinate delays and hindering the commission’s ability to perform its constitutional duty.

“Section 219(1) of the Elections Act, in its original form, states: “The Commission shall conduct elections to the local governments under the applicable local government law, and the rules framed thereunder, as may be applicable to a province, cantonments or the Islamabad Capital Territory.”

Section 219 (4) provides that: “The Commission shall hold elections to the local governments within one hundred and twenty days of the expiry of the term of the local governments of a province, cantonment or the Islamabad Capital Territory.”

In May last year, the ECP had explained its failure to fulfil its constitutional responsibility of conducting long-overdue local government elections in Punjab and the federal capital. Election Commission Secretary Omar Hamid Khan had blamed Article 140-A of the Constitution for the delay.

“If political parties desire timely local government elections, an amendment to Article 140-A is inevitable,” the ECP secretary had remarked. He said the article empowers provincial governments to amend local government laws at will, leading to delays in the conduct of LG polls.

Experts, however, argue that the ECP enjoys vast constitutional powers and is in a position to assert itself to ensure timely LG polls. They maintain that guarding against corrupt practices is a constitutional obligation and that allowing governments to defeat the spirit of the law by amending legislation even after the announcement of an election schedule amounts to a corrupt practice.

A legal expert also referred to Section 219 (5) of the Elections Act, which states:

Tirah operation sparks debate in Senate

Senator Palwasha asks for her privilege motion against Aleem Khan to be taken up

By Our Staff Reporter

ISLAMABAD: Alarm bells were rung in the Senate on Monday over the recently launched military operation in the Tirah area of Khyber Pakhtunkhwa’s Khyber tribal district.

Speaking on a point of public importance, ANP chief Senator Aimal Wali Khan accused the federal government of being in a “deep slumber” over the ongoing operation in KP, leaving the people helpless and clueless. He said such “processes” had been carried out in the past in KP with all stakeholders on board. “But this time, the Centre is sleeping, whereas the provincial government is unbothered about what is going on,” he added.

CM Afridi says govt won’t abandon Tirah people: Page 8

“The federal government is behaving as if KP is out of its jurisdiction, and the provincial government is headed by one who is openly talking against the system and is not ready to accept any operation,” he contended.

“Please leave aside day-to-day things and talk about this operation, as the KP government is not even bothered to arrange tents for the displaced people,” he said.

Speaking on the subject, PTI Senator Noorul Haq Qadri maintained that Tirah was being set on fire and people in large numbers were being displaced on a massive scale in the name of an operation. “The law requires that the provincial government should be taken on board,” he

said, claiming that no consultation had been made in the process.

PML-N Senator Abid Sher Ali, in his maiden speech in the House, said he failed to understand whether the ANP chief was speaking in support of the operation or against it.

He questioned the performance of the PTI-led government in KP, noting that the party had failed to ensure peace in the province despite being in power for a third consecutive term.

Mr Ali also criticised the KP chief minister for his recent controversial statements on terrorism. He demanded that the KP government should provide details of the funds it had received from the Centre to eradicate terrorism.

Privilege motion

Meanwhile, PPP Senator Palwasha Khan asked the chair to take up her privilege motion against Federal Communications Minister Aleem Khan over an alleged “personal attack” on her during a standing committee meeting.

Speaking in the House, Senator Palwasha said it was her right to ask a question and the minister had no right to react in such a manner. PPP parliamentary leader in the Senate, Senator Sherry Rehman, supported the views expressed by her party colleague and said what had happened was something that should enrage everyone. She disclosed that she had contacted Aleem Khan and asked him to directly apologise to Senator Palwasha, adding that the minister told her he would return from Umrah on Jan 25.

Law Minister Azam Nazeer Tarar said all members sitting on both sides of the aisle were equally honourable and noted that such an incident should not have taken place.

Senator Samina Mumtaz Zahri said one must not get away by merely tendering an apology. She warned that if it were allowed, it could happen to someone else tomorrow. “Will an apology cover up the insult?” she asked.

ECP seeks amendment to law for timely conduct of LG polls

• Cites Article 140-A of the Constitution in support of proposal • Says governments often delay local bodies’ polls by amending laws after terms expire

By Iftikhar A. Khan

ISLAMABAD: The Election Commission of Pakistan (ECP) has sought an amendment to the law to ensure the timely conduct of local government (LG) elections across the country.

In a letter sent to the secretary of the Parliamentary Affairs Division, the commission proposed an amendment to Section 219(1) of the Elections Act, 2017.

“The Commission shall conduct elections to the local governments under the applicable local government law at the time of the expiry of the term or dissolution of the local governments, and the rules framed thereunder, as may be applicable to a province, cantonments or Islamabad Capital Territory”, the proposed version of the section reads.

Explaining the rationale for the amendment, the letter — sent on the commission’s direction — refers to Article 140-A of the

Constitution, which mandates that each province establish a local government system by law, devolving political, administrative and financial authority to elected representatives.

Chapter XIII of the Elections Act, 2017, deals with conduct of local government elections and states that the Election Commission, under Article 140-A (2) read with Article 219(d) of the Constitution, is under an obligation to conduct LG polls.

“Local government is an important tier and the bedrock of democracy, providing basic facilities to the public at the grassroots level. It is observed that governments have generally shown little readiness to conduct local government elections, and the Election Commission faces difficulties in holding them in a timely manner as mandated by the Constitution and law,” the letter says.

Issued with the signatures of Additional Director General (Local Government Elections) Chaudhry Nadeem Qasim, the letter states that, in order to fulfil its constitutional obligation, the commission has consistently strived to hold timely LG elections. However, federal and provincial governments often repeal or amend the local government laws even after the expiry of the term of the local government, causing inordinate delays and hindering the commission’s ability to perform its constitutional duty.

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Section 219 (4) provides that: “The Commission shall hold elections to the local governments within one hundred and twenty days of the expiry of the term of the local governments of a province, cantonment or the Islamabad Capital Territory.”

In May last year, the ECP had explained its failure to fulfil its constitutional responsibility of conducting long-overdue local government elections in Punjab and the federal capital. Election Commission Secretary Omar Hamid Khan had blamed Article 140-A of the Constitution for the delay.

“If political parties desire timely local government elections, an amendment to Article 140-A is inevitable,” the ECP secretary had remarked. He said the article empowers provincial governments to amend local government laws at will, leading to delays in the conduct of LG polls.

Experts, however, argue that the ECP enjoys vast constitutional powers and is in a position to assert itself to ensure timely LG polls. They maintain that guarding against corrupt practices is a constitutional obligation and that allowing governments to defeat the spirit of the law by amending legislation even after the announcement of an election schedule amounts to a corrupt practice.

A legal expert also referred to Section 219 (5) of the Elections Act, which states:

“The Commission shall organise and conduct elections under this Chapter and shall make such arrangements as are necessary to ensure that the elections are conducted honestly, justly, fairly and in accordance with law, and that corrupt practices are guarded against.”

Section 219(6) further provides: “The Commission may, by order in the official Gazette, make provisions for the conduct of local government elections if no provision or insufficient provision has been made under this Act or the Rules.”

According to experts, these provisions empower the commission not only to bar governments from amending LG laws after the announcement of an election schedule, but also to take punitive action in case of non-compliance.

“Asking the federal government to amend the Elections Act against its own political interest effectively helps it continue delaying the electoral exercise,” a legal expert remarked.

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